

**CHEROKEE METROPOLITAN DISTRICT  
RESOLUTION NO. 2025-03**

**A RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF  
SUBMITTING THE QUESTION OF INCLUSION TO THE ELIGIBLE ELECTORS OF  
THE AREA TO BE INCLUDED, APPOINTING A DESIGNATED ELECTION OFFICIAL  
AND APPROVING OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the Cherokee Metropolitan District (“District”) is a quasi-municipal corporation and political subdivision of the State of Colorado, formed pursuant to C.R.S. § 32-1-101, *et seq.* (“Special District Act”); and

WHEREAS, the District provides water and sanitary sewer services to the occupants and property within its jurisdiction; and

WHEREAS, on January 21, 2025, the Board of Directors held an uncontested public hearing to consider the inclusion of property that receives water and sanitary sewer services from the District, but which is not located within the District’s legal boundaries (“Inclusion Area”) pursuant to §32-1-401(2)(a)(c), C.R.S., and the Board of Directors adopted a Resolution and Order for Inclusion (“Resolution and Order”); and

WHEREAS, a copy to the Resolution and Order was filed with the Clerk of the District Court in and for El Paso County requesting that the Court direct the question of inclusion be submitted to the eligible electors within the Inclusion Area in accordance with §32-1-401(2)(d), C.R.S.; and

WHEREAS, on January 29, 2025, the Court issued an Order directing that the question of inclusion be submitted to the eligible electors of the Inclusion Area at a special election to be held on Tuesday, May 6, 2025 (“Special Election”), pursuant to §§ 32-1-401(2)(d), and 32-1-103(21), C.R.S., and appointing Mandi Kirk as the District’s Designated Election Official for the Special Election; and

WHEREAS, it is necessary to submit to the eligible electors of the Inclusion Area the question of inclusion, and the Board hereby determines that such question should be presented to District’s eligible electors at the Special Election and in accordance with the Election Laws.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Cherokee Metropolitan District, El Paso County, Colorado:

Section 1. Submission of Ballot Question. At the Special Election of the District to be held on Tuesday, May 6, 2025, there shall be submitted to the eligible electors of the Inclusion Area the Ballot Question substantially in the form set forth in Exhibit A, attached hereto and made a part by this reference.

Section 2. Designated Election Official. Mandi Kirk was appointed as the Designated Election Official (“DEO”) for the conduct of the Special Election, and the DEO is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Election Laws or other applicable laws. Among other matters, the DEO shall appoint election judges as necessary, appoint the Canvass Board, arrange for the required notices of election, printing of ballots, and direct that all other appropriate actions be accomplished.

Section 3. Mail Ballot Election. The Special Election shall be conducted as an independent mail ballot election in accordance with the relevant provisions of the Election Laws. The Designated Election Official shall prepare the Plan for conducting the mail ballot election. There shall be no election precinct or polling place. All mail ballots shall be returned to the Designated Election Official’s office, located at 3900 E. Mexico Avenue, Suite 300, Denver, Colorado, 80210.

Section 4. Date and Time of Election. The election shall be held on May 6, 2025, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Election Code.

Section 5. Authorization to Execute Documents. The President, Secretary and Designated Election Official shall and are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution and the holding of the Special Election on May 6, 2025.

Section 6. Recitals. The recitals set forth above shall form an integral part of this Resolution.

Section 7. Severability. Should any part or provision of this Resolution be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the intention that the various provisions hereof are severable.

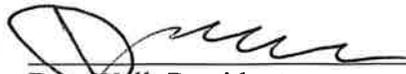
Section 8. Repealer. All acts, orders, resolutions, or parts thereof, of the District that are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

Section 9. Effective Date. The provisions of this Resolution shall take effect immediately upon its adoption.

**[Signature Page Follows]**

ADOPTED AND APPROVED this 18<sup>th</sup> day of February, 2025.

CHEROKEE METROPOLITAN DISTRICT

By:   
Dan Wall, President

Attest:  
  
Jeff Bandy, Secretary

**EXHIBIT A**  
Ballot Title and Text

**CHEROKEE METROPOLITAN DISTRICT BALLOT QUESTION A**  
**(INCLUSION OF PROPERTY)**

**SHALL THE FOLLOWING DESCRIBED AREAS BECOME A PART OF THE  
CHEROKEE METROPOLITAN DISTRICT?**

TRACT D

HANNAH RIDGE AT FEATHERGRASS FILING NO. 1, PER THE PLAT THEREOF RECORDED ON  
JUNE 11, 2014 AT RECEPTION NO. 214713468  
COUNTY OF EL PASO, STATE OF COLORADO

LOTS 1-22;

LOTS 27-37;

LOTS 50-55; AND

TRACTS: A, B AND C

HANNAH RIDGE AT FEATHERGRASS FILING NO. 5, PER THE PLAT THEREOF RECORDED ON  
MAY 26, 2021 AT RECEPTION NO. 221714748  
COUNTY OF EL PASO, STATE OF COLORADO

LOTS 1-33; AND

TRACT A

HANNAH RIDGE AT FEATHERGRASS FILING NO. 6, PER THE PLAT THEREOF RECORDED ON  
AUGUST 4, 2020 AT RECEPTION NO. 220714560  
COUNTY OF EL PASO, STATE OF COLORADO

LOTS 1 AND 2

MOUNTAIN STATES PIPE & SUPPLY, PER THE PLAT THEREOF RECORDED ON AUGUST 3, 2021  
AT RECEPTION NO. 221714797  
COUNTY OF EL PASO, STATE OF COLORADO

LOTS 10-17;

LOTS 22-28; AND

LOTS 72-80

JESSICA HEIGHTS FILING NO. 1, PER THE PLAT THEREOF RECORDED ON FEBRUARY 9, 2006  
AT RECEPTION NO. 206712249  
COUNTY OF EL PASO, STATE OF COLORADO

LOTS 1-3;

LOTS 22-27; AND

TRACT E

URBAN COLLECTION AT PALMER VILLAGE, PER THE PLAT THEREOF RECORDED ON  
OCTOBER 8, 2021 AT RECEPTION NO. 221714832  
COUNTY OF EL PASO, STATE OF COLORADO

LOTS 1, 2 AND 5

CLEARWAY, PER THE PLAT THEREOF RECORDED ON JUNE 6, 1997 AT RECEPTION NO.  
097064918  
COUNTY OF EL PASO, STATE OF COLORADO

LOTS 1-3 CLEARWAY NO 2  
CLEARWAY NO. 2, PER THE PLAT THEREOF RECORDED ON MARCH 23, 1999 AT RECEPTION  
NO. 099044354  
COUNTY OF EL PASO, STATE OF COLORADO

LOT 4  
CLEARWAY NO. 2, PER THE PLAT THEREOF RECORDED ON MARCH 23, 1999 AT RECEPTION  
NO. 099044354  
COUNTY OF EL PASO, STATE OF COLORADO, TOGETHER WITH 30 FEET INGRESS/EGRESS  
EASEMENT AS DENOTED ON PLAT

LOTS 1, 3 AND 4  
CLEARWAY NO. 3, PER THE PLAT THEREOF RECORDED ON APRIL 24, 2001 AT RECEPTION  
NO. 201051644  
COUNTY OF EL PASO, STATE OF COLORADO

WLY 631.22 FT OF TRACT 5  
AKERS ACRES SUB NO. 1, PER THE PLAT THEREOF RECORDED ON SEPTEMBER 9, 1965 AT  
RECEPTION NO. 000432490  
COUNTY OF EL PASO, STATE OF COLORADO

THAT PT OF THE CHICAGO ROCK ISLAND & PACIFIC RAILWAY R/W LOCATED IN SECS 28,29  
& 32-13-65 & SECS 5 & 6-14-65 DESC AS FOLS: COM AT E4 COR SD SEC 34, TH N 73<40'49" W  
11,075.82 FT TO THE INTERSEC OF THE SLY LN CHICAGO ROCK ISLAND & PACIFIC RAILWAY  
& THE E R/W LN OF MARKSHEFFEL RD & POB, TH ALG ARC OF CUR TO THE L HAVING A RAD  
OF 1810.08 FT A C/A OF 24-48-28 WHICH CHORD BEARS S 64<28'17" E 783.72 FT, TH S 00<43'15"  
W 553.0 FT, TH ALG ARC OF CUR TO THE R HAVING A RAD OF 2010.08 FT A C/A OF 69<00'00"  
WHICH CHORD BEARS N 89<16'45" W 2420.69 FT, TH S 69<43'15" W 903.09 FT, TH ALG ARC OF  
CUR TO THE L HAVING A RAD OF 1810.08 FT A C/A OF 60<10'10" WHICH CHORD BEARS S  
20<16'55" E 1900.87 FT, TH S 09<33'05" W 2593.98 FT, TH ALG ARC OF CUR TO THE R HAVING A  
RAD OF 2010.08 FT A C/A OF 87<00'00" WHICH CHORD BEARS N 80<26'55" W 3052.18 FT, TH S  
06<33'05" W 50.0 FT, TH ALG ARC OF CUR TO THE R HAVING A RAD OF 2060.08 FT A C/A OF  
42<02'10" WHICH CHORD BEARS 0 06<33'05" E 1511.42 FT, TH N 89<46'11" E 351.97 FT, TH ALG  
ARC OF CUR TO THE L HAVING A RAD OF 1810.08 FT A C/A OF 121<40'48" WHICH CHORD  
BEARS N 41<13'53" E 3844.10 FT, TH N 09<33'05" E 2593.97 FT TH ALG ARC OF CUR TO THE R  
HAVING A RAD OF 2010.08 FT A C/A OF 60<10'10" WHICH CHORD BEARS S 80<27'05" E 2110.90  
FT, TH N 69<43'15" E 903.10 FT, TH ALG ARC OF CUR TO THE L HAVING A RAD OF 1810.08 FT A  
C/A OF 69<00'00" WHICH CHORD BEARS N 20<16'45" W 2179.84 FT, TH N 00<43'15" E 553.0 FT,  
TH ALG ARC OF CUR TO THE R HAVING A RAD OF 2010.08 FT A C/A OF 34<50'37" WHICH  
CHORD BEARS S 89<16'45" E 1222.40 FT, TH S 00<15'35" E 389.02 FT TO POB, EX THAT PT TO  
COUNTY BY REC #(210063040)

THAT PART OF LOT 2 AKERS ACRES SUB 1 AS FOLS, COM AT SE COR OF LOT, RUN N ON E  
SEC LN 221.83 FT FOR POB, CONT N ON SD LN 328.17 FT, WLY 513.64 FT TO INTSEC ELY R/W  
LN OF CRI+P RR, SWLY ON SD R/W LN AN ARC DIST OF 451.48 FT, TH ELY 822.34 FT TO POB,  
EX THAT PT CONVEYED TO COUNTY BY REC #210030753

TRACT IN NE4 SEC 5-14-65 AS FOLS, COM AT NE COR OF SD SEC, TH SLY ON E LN 1155.0 FT,  
ANG R 89<35' WLY 662.49 FT FOR POB, CONT ON LAST MENT COURSE 330.0 FT, ANG R 90<25'  
NLY 660.0 FT, ANG R 89<35' ELY 330.0 FT TH ANG R 90<25' SLY 660.0 FT TO POB

S2SE4SE4NE4 SEC 5-14-65, EX THAT PT CONV TO COUNTY FOR RD TOG W/ THAT PT DESC BY  
REC #211096236

BEING A STRIP OF LAND OF VARYING WIDTHS CONSTITUTING A LN OF R/R LY IN SW4NE4  
SEC 6-14-65, EX THAT PT CONV BY REC #211004931

THAT PT OF R/W OF THE CHICAGO ROCK ISLAND & COLORADO RAILWAY CO R/W IN SW4 SEC 6-14-65 DESC AS FOLS; COM AT SW COR LOT 10 PEAKVIEW SUB, TH S27<59'46"E ALG SD R/W 632.61FT, TH CONT S27<59'46"E 347.37FT, TH SELY ALG SD R/W LN & ALG ARC OF CUR TO THE L HAVING A RAD OF 1810.08 FT A C/A OF 21<05'47" WHICH CHORD BEARS S38<33'35"E AN ARC DIST OF 666.47FT TO A PT ON THE S LN OF N2 OF SEC 6, TH S89<12'39"W 284.41FT TO A PT ON THE WLY R/W LN SD R/R, TH NWLY ALG ARC OF CUR TO THE R HAVING A RAD OF 2010.08FT A C/A OF 15<01'57" WHICH CHORD BEARS N35<31'47"W AN ARC DIST OF 527.38FT, TH N27<59'46"W 287.39FT TO A PT ON THE BDRY OF SEALY SUB NO 2, TH N61<59'50"E 77.52FT, N28<00'10"W 60.09 FT, N62<00'14"E 122.88FT TO POB

BEING A STRIP OF LAND OF VARYING WIDTHS CONSTITUTING A LN OF R/R LY IN NW4 SEC 6-14-65 & SW4 SEC 31-13-65

TRACT IN SE4 SEC 08-14-65 AS FOLS, BEG AT A PT ON N BDRY LN OF SD SE4 WHENCE THE E4 COR BEARS S 89<33' E 2023.0 FT, TH S 89<33' E 598.6 FT, S 33<35' W 508.5 FT, S 56<25' E 30.0 FT, S 37<48' W 375.0 FT, S 17<09' W 148.2 FT, N 02<16' W 417.0 FT, N 06<38' E 358.0 FT, TH N 17<04' E 15.7 FT TO POB, EX THAT PT PLATTED TO CLAREMONT BUSINESS PARK FIL NO 2, EX THAT PT CONV TO D.O.T. FOR R/W BY REC # 205077959\*\*\*PARCEL OUTED 2024 NEW NUMBERS ARE 54084-03-025 THRU 042, 048-069, 070,071,073,074 & 076 MEADOWBROOK PARK FIL NO 1 PLAT #15403

TRACT IN SW4 OF SEC 8-14-65 AS FOLS, COM ON S LN OF SD SEC 1458.40 FT E OF SW COR, TH N 0<13' W 50 FT TO N LN OF HWY 94 FOR POB, CONT NLY 253.95 FT TO INTSEC SELY R/W LN OF US HWY 24, TH SWLY ALG SD R/W LN 232.07 FT TO INTSEC A LN DRAWN NLY 129.8 FT FROM NLY LN OF HWY 94 THAT IS 231 FT WLY FROM POB, SLY 129.8 FT TO SD NLY LN, TH ELY ALG SD LN 231 FT TO POB

TRACT IN SW4 OF SEC 8-14-65 AS FOLS, COM ON S LN OF SW4 OF SD SEC 1718.4 FT E OF SW COR, TH N 0<13' W 50 FT TO N LN OF HWY 94, CONT N 0<13' W 469.3 FT TO ELY LN OF US HWY 24, TH S 54<01' W ON SD ELY LN 315.2 FT, CONT ON SD ELY HWY LN ON CUR TO R A RAD OF 1960 FT, A DIST OF 50.12 FT, CONT ON LAST MENT COURSE ON SD CUR A CHORD DIST OF 232.07 FT FOR POB, TH ANG L FROM SD CHORD 58<25' 129.8 FT TO N LN OF HWY, W ON N LN OF SD HWY 75 FT M/L, ANG N 5<05' W 93.2 FT TO SELY LN OF HWY 24, TH NELY ALG SD HWY TO POB 23

TRACT IN SW4 OF SEC 8-14-65 AS FOLS, COM AT A PT ON S SEC LN 2055.40 FT E FROM SW COR THEREOF, N 0<13' E 50.0 FT TO N LN OF ST HWY 94 FOR POB, CONT N 0<13' E 464.84 FT, S 83<13' W 224.6 FT, S 55<36' W 146.1 FT, S 0<13' W 359.3 FT TO INTSEC NLY R/W LN OF AFSD HWY, TH E 337.0 FT TO POB

**FOR INCLUSION** \_\_\_\_\_

**AGAINST INCLUSION** \_\_\_\_\_